

HOTG | Recent Court Decision



Recent Court Decision | Southwest Legal Department

Southwest Airlines has a demonstrated history of supporting our Employees' rights to express their opinions when done in a civil and respectful manner. We have established policies and guidelines that we must all adhere to as we work to create and protect a healthy work environment. We regularly update our policies to ensure Employee expectations are clear, and we are currently refreshing our social media policy in response to litigation surrounding an online conversation between Employees that ultimately created unnecessary tension among a workgroup, and, we felt, crossed the boundaries of acceptable behavior.

At the time of the event, Southwest conducted an investigation when an Employee reported receiving what we believed were inappropriate, harassing, and offensive communications from a Coworker, including extremely graphic and disturbing visuals that Southwest perceived were in violation of several Company policies. Southwest conducted a thorough investigation and through that process, it was ultimately determined that the Employee who sent the communications did not adhere to Southwest policies and guidelines, resulting in her termination. Although the decision was grievous, the termination was upheld by an arbitrator, who "found the postings and messages to be repulsive and beyond the bounds of civility."

Soon after, the terminated Employee filed a lawsuit and recently, a court entered a judgment in her favor after a jury trial, with requirements that the Company pay monetary damages, distribute communication to Flight Attendants about the ruling, and reinstate her employment with the Company. We are extremely disappointed with the court's ruling and are appealing the decision to the Fifth Circuit Court of Appeals. The Company will implement the judgment as we work through the appeal process and await a final ruling.

We want to remind our Employees that no matter our individual ideologies, we should never lose sight of our shared goal to take care of each other while extending Hospitality to everyone around us, in every interaction, including those online. Beyond our policies, each and every Employee is valued, and we must all work to ensure that everyone is comfortable in their work environment by consistently displaying Civility, Care and Unity at all times, regardless of our differing opinions. It's the Southwest Way and a philosophy we've been proud to uphold for more than 52 years.

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EXHIBIT

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